GOVERNMENT OF INDIA
COMMERCE AND INDUSTRY
LOK SABHA

UNSTARRED QUESTION NO:2879
ANSWERED ON:22.08.2006
NEGOTIATION IN TRIPS ON BIOLOGICAL DIVERSITY .
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Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) The plans of the Government to negotiate in the TRIPs Council to make TRIPs consistent with Convention on Biological Diversity(CBD); and

(b) The success achieved so far in this regard?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY(SHRI JAIRAM RAMESH)

(a) & (b) In order to bring the Trade-Related Intellectual Property Rights

(TRIPs) Agreement in harmony with the objectives of the Convention on Biological Diversity (CBD), India along with other developing countries has proposed in the World Trade Organization (WTO), the inclusion of "disclosure requirements" in patent applications. Towards this end, a proposal to amend the TRIPS Agreement by inserting Article 29 bis has been jointly submitted by India, Brazil, Pakistan, Peru, Thailand and Tanzania to the Trade Negotiations Committee

(TNC) of the WTO and to the General Council of the WTO in May 2006. This proposal is in line with the mandate of the Hong Kong Ministerial Conference of the WTO. Many other developing countries have supported this approach of initiating text-based negotiations. Norway has also submitted a separate proposal for initiating text-based negotiations. The EC and Switzerland have supported the text-based approach. However, the US, Japan and Korea feel that the fact-based debate on the subject should continue.